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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,086	03/16/2004	Garrett Blythe	353980-991100	4038
26379	7590	04/21/2009		
DLA PIPER LLP (US ) 2000 UNIVERSITY AVENUE EAST PALO ALTO, CA 94303-2248			EXAMINER D'AGOSTINO, PAUL ANTHONY	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 04/21/2009	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Interview Summary

**Application No.**

10/802,086

**Applicant(s)**

BLYTHE ET AL.

**Examiner**

Paul A. D'Agostino

**Art Unit**

3714

All participants (applicant, applicant's representative, PTO personnel):

(1) Paul A. D'Agostino.(3) Patrick Myers.(2) Christopher Kirmse.

(4) \_\_\_\_.

Date of Interview: 4/15/2009.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_.

Claim(s) discussed: 1 and 5.

Identification of prior art discussed: US 2002/0086732 and US 2004/0032876.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant explained the claimed invention and the distinguishing meaning of "detect... are running" to overcome the prior art, however agreement could not be reached. Examiner also shared two additional references from a copending case as potentially have relevance, namely US 7,240,093 and US 5,74,673.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Paul A. D'Agostino/  
Examiner, Art Unit 3714

/John M Hotelling III/  
Supervisory Patent Examiner, Art Unit 3714